

IN THE CLAIMS:

Please amend the claims to read as follows:

- 1-35. (canceled)
36. (currently amended) A railroad tie made by melt processing a thermoplastic composition comprising:
- (a) a thermoplastic resin; and
 - (b) a calcium sulfate composition comprising a calcium sulfate present at a level of from 50 to 99 percent by weight based on the total weight of the calcium sulfate composition, and wherein the tie has substantially trapezoid-shape, a top and a bottom, and the bottom is broader than the top.
37. (original) The tie of claim 36 wherein the thermoplastic resin is a polyolefin.
38. (original) The tie of claim 36 wherein the thermoplastic composition also includes an epoxidized oil.
39. (previously presented) The tie of claim 38 wherein the thermoplastic composition includes the thermoplastic resin in an amount of from 40 to 75 percent by weight based on the total weight of the thermoplastic composition, the calcium sulfate composition in an amount of from 25 to 60 percent by weight based on the total weight of the thermoplastic composition, and the oil in an amount of from 0.5 to 2 percent by weight based on the total weight of the thermoplastic composition.
- 40-43. (canceled)
44. (previously presented) A process for making a railroad track, the process comprising:
- (a) providing a plurality of the ties of claim 36;
 - (b) laying the ties on a raised rail bed; and
 - (c) placing rail on the ties.
45. (previously presented) The tie of claim 36 wherein the tie include holes for receiving carriage bolts for securing rail to the tie.

46. (original) The process of claim 44 wherein the composition comprises a yellow colorant.

47. (currently amended) The railroad tie of claim 36, ~~wherein the tie has a top and a bottom, and the bottom is broader than the top~~ wherein the melt processing is extrusion under high shear pressure.

48-63. (canceled)

64. (previously presented) A product made by the process of claim 44.

65. (previously presented) The tie of claim 36 wherein the composition comprises a yellow colorant.

66. (previously presented) The process of claim 44 wherein the ties include holes for receiving carriage bolts for securing the rail to the ties.

67. (currently amended) The tie of claim 36, ~~wherein the tie has a top and a bottom, and the bottom is broader than the top~~ wherein the tie is monolithic and homogenous.

68. (currently amended) The tie of claim 36, wherein:
the composition comprises a yellow colorant,
the tie includes holes for receiving carriage bolts for securing rail to the tie, ~~and~~
~~the tie has a top and a bottom, and the bottom is broader than the top.~~

69. (currently amended) The tie of claim 37, wherein:
the composition comprises a yellow colorant,
the tie includes holes for receiving carriage bolts for securing rail to the tie, ~~and~~
~~the tie has a top and a bottom, and the bottom is broader than the top.~~

70. (currently amended) The process of claim 44, wherein:
the composition comprises a yellow colorant,
the ties includes holes for receiving carriage bolts for securing the rail to the ties, ~~and~~
~~the ties have a top and a bottom, and the bottom is broader than the top.~~

71. (previously presented) The tie of claim 36 wherein the thermoplastic composition includes the thermoplastic resin in an amount of from 40 to 75 percent by weight based on the total

weight of the thermoplastic composition, and the calcium sulfate composition in an amount of from 25 to 60 percent by weight based on the total weight of the thermoplastic composition.

72. (currently amended) The tie of claim 71, wherein:
the composition comprises a yellow colorant,
the tie includes holes for receiving carriage bolts for securing rail to the tie;~~and~~
~~the tie has a top and a bottom, and the bottom is broader than the top.~~
73. (currently amended) A railroad tie made by melt processing a thermoplastic composition comprising:
(a) a thermoplastic resin;
(b) a calcium sulfate composition comprising a calcium sulfate present at a level of from 50 to 99 percent by weight based on the total weight of the calcium sulfate composition;
(c) a yellow colorant; and
(d) holes for receiving carriage bolts for securing rail to the tie, wherein:
the tie has substantially trapezoid shape, a top and a bottom, and the bottom is broader than the top.
74. (currently amended) A railroad tie made by melt processing a thermoplastic composition comprising:
(a) a thermoplastic resin in an amount of from 40 to 75 percent by weight based on the total weight of the thermoplastic composition; and
(b) a calcium sulfate composition comprising a calcium sulfate present at a level of from 25 to 60 percent by weight based on the total weight of the calcium sulfate composition, wherein the tie has substantially trapezoid shape, a top and a bottom, and the bottom is broader than the top.